

## Message Text

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44

ACTION EA-14

INFO OCT-01 ISO-00 OMB-01 CIEP-02 CIAE-00 DODE-00 PM-07

H-03 INR-11 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01

SP-03 SS-20 USIA-15 AID-20 IO-14 DRC-01 /128 W

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R 190842Z JUL 74

FM AMEMBASSY JAKARTA

TO SECSTATE WASHDC 3437

INFO AMCONSUL MEDAN

AMCONSUL SURABAYA

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E.O. 11652: N/A

TAGS: PINS, PINT, ID

SUBJ: GOI ATTORNEY GENERAL ON TRIALS OF JANUARY 15

DETAINEES

REF: A) JAKARTA 8695 B) JAKARTA 8258

BEGIN UNCLASSIFIED

1. GOI ATTORNEY GENERAL ALI SAID ANNOUNCED JULY 18 THAT IMMEDIATELY FOLLOWING COMMENCEMENT OF TRIAL OF HARIMAN SIREGAR GOVERNMENT WOULD SUBMIT TO COURT TWO ADDITIONAL CASES OF JANUARY 15 DETAINEES. ADDITIONAL CASES ARE THOSE OF RAMADI, FORMER MEMBER OF PEOPLES' CONSULTATIVE ASSEMBLY, AND SUBROTO, DESCRIBED AS A PRIVATE BUSINESSMAN CLOSELY CONNECTED WITH MARDANUS, A LEFT-WING PNI FIGURE ALSO UNDER DETENTION.

2. SAID INDICATED ALL THREE DEFENDANTS WILL BE CHARGED UNDER PRESIDENTIAL DECREE NO. 11 OF 1963 (ARTICLE 1, PARAGRAPH 1, SUBSECTION A) AND INDOENSIAN CRIMINAL CODE SECTIONS 107, 108 AND 110 CONCERNING CONSPIRACY AND SUBVERSION. SAID CONFIRMED THAT CHARGES COULD CARRY DEATH

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PENALLS AND THAT DEFENDANTS WOULD BE REPRESENTED BY

COUNSEL.

3. IN APPARENT CONTRADICTION OF RECENT STATEMENT BY BAKIN CHIEF YOGA (REF B) SAID DENIED THAT JANUARY 15 DETAINEES WERE BEING CLASSIFIED AS "BIG FISH" AND "SMALL FISH." HE ALSO DENIED THAT THERE ANY PARTICULAR SIGNIFICANCE IN SIREGAR CASAXBEING TRIED FIRST, SAYING THAT THIS WAS SIMPLY FIRST CASE COMPLETED. HE SAID SEVEN WITNESSES WOULD BE CALLED AT SIREGAR TRIAL, BUT DECLINED TO MENTION NAMES. SAID ALSO STATED THAT "ALL" JANUARY 15 DETAINEES ARE BEING ALLOWED TO RECEIVE VISITS FROM THEIR FAMILIES.

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4. COMMENTS:

A. NAME OF SUBROTO HAS NOT PREVIOUSLY COME TO EMBASSY'S ATTENTION IN CONNECTION WITH JANUARY 15 DETENTIONS. EMBASSY HAS NO INFORMATION ON HIM OTHER THAN DESCRIPTION GIVEN BY SAID.

B. MOST PAPERS QUOTED SAID AS SAYING CHARGES WOULD BE BASED ON 1961 PRESIDENTIAL DECREE RATHER THAN 1963 DECREE. MILITARY DAILY "ANGKATAN BERSENJATA" HOWEVER REFERRED TO 1963 DECREE, AND PARAGRAPH AND SUBSECTION NUMBERS MENTIONED FIT WITH 1963 DECREE. SUBSECTION MENTIONED IS MOST GENERAL OF ALL SECTIONS OF 1963 DECREE (ITSELF RATHER GENERAL), DEFINING ANY ACT UNDERMINING CONFUSING OR DEVIATING FROM THE STATE IDEOLOGY "PANCASILA" AS SUBVERSION PUNISHABLE BY DEATH (OR IMPRISONMENT). PENAL CODE SECTIONS CITED ARE MORE SPECIFIC, REFERRING TO ENCITEMENT OR EFFORTS TO OVERTHROW OR REBEL AGAINST THE GOVERNMENT BUT CARRY LIGHTER MAXIMUM SENTENCE OF LIFE IMPRISONMENT.

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## Message Attributes

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**To:** STATE  
**Type:** TE  
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